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9 Attorneys for Defendant
10 MICHAEL T. BLATT.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LIBERTY MUTUAL INSURANCE
COMPANY,
Plaintiff,
v.
MICHAEL T. BLATT,
Defendant.

Case No. C 06 2022 SC
ADDENDUM TO
DEFENDANT MICHAEL T.
BLATT'S TRIAL BRIEF:
WITNESS LIST

Trial Date: January 28, 2008

Defendant Michael T. Blatt submits the following list of witnesses he
intends on calling to testify at trial:

1. Michael Blatt: Michael Blatt was the defendant in the Marin
County Superior Court case and the additional-named insured under the
Liberty Mutual Insurance Policy. He will testify to all matters supporting the
affirmative defenses of waiver, estoppel and unclean hands. He will testify to
the payments that he paid to Gabbert and Lincoln, his understanding of the
negotiations for the payment of the judgment and the attorney's fees paid to
Alexander Anolik, attorney for Gabbert and Lincoln. Mr. Blatt will testify to

1 his plans of payment for the judgment due to Gabbert and Lincoln. He will
2 testify to his surprise in learning that Liberty Mutual was seeking
3 reimbursement from him of the attorney's fees paid to Foreman & Brasso, his
4 attorneys in the underlying action, and the fees and costs paid to Alexander
5 Anolik as part of the judgment in the Marin County Superior Court action. Mr.
6 Blatt may also testify to his plans regarding the pursuit of an appeal of the
7 underlying Marin County Superior Court judgment. Mr. Blatt may testify to
8 the defense of the property damage claims pursued by Gabbert and Lincoln in
9 the underlying Marin County Superior Court case.

10 2. Alexander Anolik: Alexander Anolik was the attorney for
11 plaintiffs Gabbert and Lincoln in the underlying action. Alexander Anolik will
12 testify to his post-verdict activities with respect to the collection of the
13 judgment and the award of attorney's fees and costs, his understanding of the
14 attorney's fees and costs that Gabbert and Lincoln would incur if an appeal
15 were pursued and the value of accepting a discount for the immediate payment
16 of the attorney's fees and costs due. He will testify to all matters supporting
17 the affirmative defenses of waiver, estoppel and unclean hands. Mr. Anolik
18 may testify as to the property damage claims which he pursued in the Marin
19 County Superior Court case on behalf of Gabbert and Lincoln.

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21 DATED: January 25, 2008

22 /s/
23 Ronald D. Foreman
24 Attorney for Defendant
25 Michael T. Blatt
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